

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HOWARD C. LAPENSOHN and JILL  
ABRAMS LAPENSOHN,

Plaintiffs,

v.

HUDSON CITY SAVINGS BANK and  
VOYAGER INDEMNITY INSURANCE  
COMPANY and PARKER IBRAHIM & BERG,

Defendants.

Civil Action

No.: 20-cv-680-JMG

**DECLARATION OF JAMES P. BERG, ESQ. IN FURTHER SUPPORT OF MOVING  
DEFENDANTS' MOTION TO DISMISS AND MOTION FOR SANCTIONS**

James P. Berg, Esq., an attorney duly licensed to practice law in the Commonwealth of Pennsylvania, declares and affirms under penalty of perjury as follows to the best of his knowledge information and belief:

1. I am partner with the law firm of Parker Ibrahim & Berg LLP, attorneys for defendants M&T Bank successor by merger to Hudson City Savings Bank s/h/a "Hudson City Savings Bank" and Parker Ibrahim & Berg LLP s/h/a "Parker Ibrahim & Berg" (together, "Moving Defendants") in the above-captioned action. I submit this declaration in further support of Defendants' Motion to Dismiss the Complaint of Howard C. Lapensohn and Jill Abrams Lapensohn (together, "Plaintiffs") with prejudice and Motion for Sanctions against Plaintiffs and their counsel.

2. Attached hereto as **Exhibit A** are true and correct copies of the Court Orders dated September 13, 2019, October 30, 2019, February 18, 2020, March 27, 2020, which were issued by Courts throughout this district in response to the conduct of Plaintiffs' counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

**PARKER IBRAHIM & BERG LLP**

Executed on: April 13, 2020

/s/ James P. Berg

James P. Berg, Esq.

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